



House of Representatives

General Assembly

File No. 87

January Session, 2013

House Bill No. 6438

House of Representatives, March 20, 2013

The Committee on Environment reported through REP. GENTILE of the 104th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT RESTRICTING THE USE OF METHOPRENE AND RESMETHRIN.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-45d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The Commissioner of Energy and Environmental Protection, in
4 consultation with the Commissioners of Public Health and Agriculture
5 and the Director of the Connecticut Agricultural Experiment Station,
6 shall establish a [contingency] plan, within available appropriations,
7 for the [spraying] use or application of larvicide to control mosquitoes,
8 [in the event of an outbreak of infectious disease in any human or
9 animal population due to mosquito infestation.]

10 (b) Not later than September 1, 2013, the plan described in
11 subsection (a) of this section shall be updated to establish: (1) A
12 prohibition on the use or application of methoprene or resmethrin in
13 any storm drain or conveyance for water within the coastal boundary,

14 as described in subsection (b) of section 22a-94; (2) a record-keeping,
 15 reporting and Internet posting requirement for the use or application
 16 of methoprene or resmethrin for mosquito control within the coastal
 17 area, as described in subsection (a) of section 22a-94, by any
 18 municipality or the state; and (3) a pilot program to evaluate the retail
 19 sale and use of methoprene and resmethrin for mosquito control
 20 within the coastal area, as described in subsection (a) of section 22a-94,
 21 that is labeled for mosquito control in streams, storm drains, storm
 22 gutters, and bird baths to ensure that such methoprene and resmethrin
 23 use is consistent with the labeling requirements of such methoprene or
 24 resmethrin product.

25 (c) Notwithstanding the provisions of subsection (b) of this section,
 26 methoprene or resmethrin may be introduced into a storm drain,
 27 wetland or other body of water where mosquito larvae are found or
 28 suspected if such introduction is recommended by the mosquito
 29 management coordinator at the Department of Energy and
 30 Environmental Protection to prevent an increasing threat of mosquito-
 31 borne disease, based on an evaluation of mosquito and mosquito
 32 larvae surveillance by the Connecticut Agricultural Experiment Station
 33 in accordance with the state's Mosquito Management Program.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	22a-45d
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ENV **Joint Favorable**

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 14 \$
Department of Energy and Environmental Protection	GF - Potential Cost	75,000

Municipal Impact:

Municipalities	Effect	FY 14 \$	FY 15 \$
Various Municipalities	Potential Cost	See Below	See Below

Explanation

The bill specifies that the Department of Energy and Environmental Protection (DEEP) establish a pilot program for the use or application of larvicide to control mosquitos, within available appropriations, by September 1, 2013. However, if the bill were to be implemented, it would result in a one-time estimated cost of \$75,000 in FY 14 only. The cost would be associated with hiring an outside consultant to establish a pilot program to evaluate the retail sale and use of methoprene and resmethrin for mosquito control. The bill does not require implementation of the pilot program.

The bill may also result in increased costs to some municipalities as it could require the use of alternative pesticides that may cost more than currently used pesticides.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**HB 6438*****AN ACT RESTRICTING THE USE OF METHOPRENE AND RESMETHRIN.*****SUMMARY:**

This bill requires the Department of Energy and Environmental Protection (DEEP) commissioner, in consultation with the agriculture and public health commissioners and the Connecticut Agricultural Experiment Station (CAES) director, to (1) establish a plan, within available appropriations, for the use or application of larvicide to control mosquitoes and (2) update the plan by September 1, 2013 to restrict the use or application of methoprene or resmethrin in the state's coastal boundary and for other specified purposes. Under current law, he must consult with the agriculture and public health commissioners to establish a contingency plan, within available appropriations, for spraying larvicide to control mosquitoes in the event of mosquito-borne human or animal disease outbreaks.

The bill permits the introduction of methoprene or resmethrin into storm drains, wetlands, or other water bodies where mosquito larvae are found or suspected if DEEP's mosquito management coordinator recommends it to prevent an increasing threat of mosquito-borne illness, based on CAES' surveillance consistent with the state's mosquito management program.

EFFECTIVE DATE: Upon passage

MOSQUITO CONTROL PLAN

The bill requires the DEEP commissioner to update the mosquito control plan by September 1, 2013 to:

1. prohibit the use or application of methoprene or resmethrin in

any storm drain or water conveyance within the state's coastal boundary;

2. establish a record-keeping, reporting, and Internet posting requirement for the state and towns using or applying methoprene and resmethrin for mosquito control in the coastal area; and
3. establish a pilot program to evaluate the retail sale and use of methoprene and resmethrin in the coastal area to control mosquitoes in streams, storm drains and gutters, and bird baths to ensure their use is consistent with labeling requirements.

BACKGROUND

Methoprene and Resmethrin

Methoprene is a larvicide that is introduced into still water to combat mosquito larvae. Resmethrin is a broad-spectrum insecticide with many uses, including controlling adult mosquitoes.

Coastal Boundary

The "coastal boundary," within the state's coastal area, is the furthest inland of (1) the 100-year-frequency coastal flood zone, (2) a 1,000-foot linear setback from the mean high-water mark, or (3) a 1,000-foot linear setback from the inland boundary of the tidal wetlands (CGS § 22a-94(b)).

Coastal Area

The state's "coastal area" includes land and water within the area delineated by the westerly, southerly, and easterly limits of the state's jurisdiction in Long Island Sound and the towns of Branford, Bridgeport, Chester, Clinton, Darien, Deep River, East Haven, East Lyme, Essex, Fairfield, Greenwich, Groton, Guilford, Hamden, Ledyard, Lyme, Madison, Milford, Montville, New Haven, New London, North Haven, Norwalk, Norwich, Old Lyme, Old Saybrook, Orange, Preston, Shelton, Stamford, Stonington, Stratford, Waterford, Westbrook, West Haven, and Westport (CGS § 22a-94(a)).

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 26 Nay 2 (03/04/2013)